

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. Katharine S. Hayden
v. : Crim. No. 04-188-02
BARRY TURNER : O R D E R

This matter having come before the Court on the April 29, 2011 petition of the United States Probation Office for a hearing regarding the failure of defendant Barry Turner to comply with certain conditions of the term of Supervised Release imposed upon the defendant by this Court on or about May 18, 2006;

and a previous April 6, 2011 petition detailing six (6) violations having been ordered held in abeyance by the Court on April 19, 2011 pursuant to court order;

and the defendant having appeared before this Court on June 7, 2011, the United States being represented by Paul J. Fishman, United States Attorney for the District of New Jersey (Sandra L. Moser, Assistant U.S. Attorney, appearing), and defendant Barry Turner being represented by David Holman, Esq.;

and this Court having conducted a hearing during which defendant BARRY TURNER entered a guilty plea to Violation number 1 of the April 29, 2011 petition, charging that the defendant violated the supervision condition which states, in part: "[Y]ou shall not purchase, possess, use, distribute any narcotic or other controlled substance . . ." and to Violation number 6 of

the April 29, 2011 petition regarding payment of restitution;

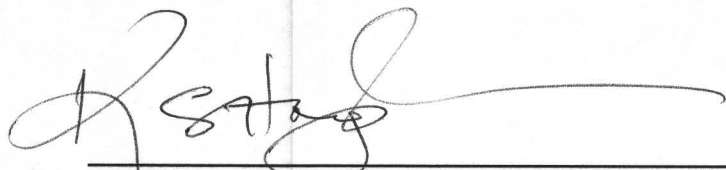
IT IS on this 28 day of June, 2011,

ORDERED that defendant BARRY TURNER is adjudged guilty of violating conditions of supervised release; specifically, it is the finding of this Court that the defendant tested positive for cocaine on February 16, 2011, March 1, 2011 and March 8, 2011; and, and that the defendant failed to pay restitution as ordered, and the defendant is sentenced to be imprisoned for a period of seventeen (17) months to run consecutively to any sentence that may be imposed by the People of the State of New York in connection with defendant BARRY TURNER'S April 21, 2011 arrest (ECAB # 1217939);

IT IS FURTHER ORDERED that Violation numbers 2, 3, 4, 5, and 7 of the April 29, 2011 petition of the United States Probation Office are hereby dismissed;

IT IS FURTHER ORDERED that, defendant BARRY TURNER'S term of supervised release is hereby terminated;

IT IS FURTHER ORDERED that the April 6, 2011 petition detailing six (6) violations and previously held in abeyance, is hereby dismissed.



HONORABLE KATHARINE S. HAYDEN
Senior United States District Judge